

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:	)	
	)	
Shinichi YAMADA et al.	)	Group Art Unit: 1617
	)	
Application No.: 09/857,495	)	Examiner: Gina C. YU
	)	
Filed: June 28, 2001	)	
	)	
For: COSMETIC COMPOSITION	)	Confirmation No.: 5364
COMPRISING AT LEAST A	)	
CATION, A LIQUID FATTY	)	
ALCOHOL AND AT LEAST A	)	
CERAMIDE TYPE COMPOUND	)	
AND METHOD USING SAME	)	

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**VIA EFS WEB**

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the

Examiner's decision mailed September 4, 2008.

The item(s) checked below are appropriate:

1. ☐ Applicant petitions for a [Fee] month extension of time, based on the mailing date of the outstanding Office action. The petition fee of \$[Fee] is enclosed.
2. ☐ Applicant has previously filed a Petition for extension of time extending the period for response to the outstanding Office action to [Date]. Applicant now petitions for an additional extension of time to extend the period for response to [Date]. The petition fee of \$[Fee] is enclosed.
3. ☒ The Notice of Appeal Fee of \$540.00 ☒ is submitted by credit card concurrently herewith through the Office's EFS-Web system.

4. ☐ The Notice of Appeal Fee was previously paid in this application on [Date], but the appeal was not completed. Accordingly, no Appeal Fee is due at this time.
5. ☐ A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.



Dated: December 4, 2008

By: \_\_\_\_\_  
Erica C. Boughner  
Reg. No. 60,694